



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

August 7, 2007

*Mr. con. adjourned to
Aug. 19, 2007.
Oct. 9th a.m. 8:45:07
Michael Hellerstein*

By Hand

The Honorable Alvin K. Hellerstein
United States Courthouse
500 Pearl Street, Room 1050
New York, New York 10007

Re: United States v. \$5,169 in United States Currency, 07 Civ. 4096 (AKH)

Dear Judge Hellerstein:

The Government respectfully writes to request a 45-day adjournment of the initial pretrial conference that is scheduled for August 10, 2007 at 9:45 a.m. in the above-referenced case.

The Government brought this action seeking forfeiture of \$5,169.00 in United States currency that was seized on December 1, 2006 from the residence of Wayne A. Richards. After the seizure, the Drug Enforcement Administration ("DEA") initiated administrative forfeiture proceedings against the property by serving notice of the action and advertising the seizure. Only one individual, Mr. Richards, filed a claim with the DEA opposing forfeiture. In light of the administrative claim, the Government brought this forfeiture action against the property.

To date, only one party, Mr. Richards, has filed an answer to the complaint, although publication of the complaint has not yet finished. I have spoken with Mr. Richards' attorney, Mitchell Schecter, who has informed me that Mr. Richards may consent to forfeit his interest in the property as part of a plea agreement in a pending state criminal case.

As no other parties have filed a claim in this case, the Government respectfully requests that the conference be adjourned. Mr. Schecter consents to this request. Once the time for filing a claim has expired and the parties reach a settlement agreement, the action will be fully resolved.

Respectfully,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By: *Anna E. Arreola*
ANNA E. ARREOLA
Assistant United States Attorney
Tel. No.: (212) 637-2218

cc: Mitchell P. Schecter (by fax)